

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JERRY STACY, *et. al.*,

Plaintiffs,

v.

H & R BLOCK TAX SERVICES, INC.,

Defendant.

Case No. 07-13327

Honorable John Corbett O'Meara

**ORDER GRANTING DEFENDANT'S MOTION TO REVIEW COSTS AND
AMENDING CLERK'S BILL OF COSTS**

This matter came before the court on Defendant's September 7, 2011 Objections to Clerk's Bill of Costs Award and Motion for Review. No response was filed, and no oral argument was heard.

After the court granted defendant H & R Block's motion for summary judgment and entered judgment in its favor, Defendant filed its bill of costs, seeking, among other things, \$4,672.69 for deposition transcripts. The Clerk of the Court denied the request because the motion in which the deposition testimony was used was filed under seal and the deputy clerk was not able to verify that the depositions were used.

The court, having reviewed the summary judgment motion, finds that Defendant, as the prevailing party, is entitled to the cost of the transcripts under Rule 54(d) of Federal Rules of Civil Procedure. Accordingly, the court will amend the Clerk's Bill of Costs.

It is hereby **ORDERED** that Defendant's motion to review costs is **GRANTED**.

It is further **ORDERED** that the Bill of Costs is **AMENDED** to include \$4,672.69 for deposition transcripts.

s/John Corbett O'Meara
United States District Judge

Date: September 20, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, September 20, 2011, using the ECF system.

s/William Barkholz
Case Manager